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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/566,974	03/01/2006	Shane Robert McGill	AMK-5600-8	2889

23117 7590 02/01/2011  
NIXON & VANDERHYE, PC  
901 NORTH GLEBE ROAD, 11TH FLOOR  
ARLINGTON, VA 22203

EXAMINER
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JANCA, ANDREW JOSEPH

ART UNIT	PAPER NUMBER
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1774

MAIL DATE	DELIVERY MODE
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02/01/2011

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Supplemental  
Notice of Allowability**

Application No.

10/566,974

Examiner

Andrew Janca

Applicant(s)

MCGILL, SHANE ROBERT

Art Unit

1774

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Request for Supplemental Notice of Allowability filed 6 January 2011.
2. ☒ The allowed claim(s) is/are 25,26,31,34,43,49,50,56,58,76 and 82-86.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

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|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

/DAVID L. SORKIN/  
Primary Examiner, Art Unit 1774

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Alan Kagen on 12/17/10. This Corrected Examiner's Amendment corrects the cancelled claims to be claims 28 and 52, rather than 28 and 53 as was incorrectly written in the Examiner's Amendment mailed 12/30/10. No other changes are made.

The application has been amended as follows:

Claims 28 and 52 are cancelled.

In claim 34, line 1, "claim 32" was changed to "claim 25".

In claim 85, line 2, "outwardly convex" was changed to "part-spherical central".

In claim 86, line 2, "outwardly convex" was changed to "part-spherical central".

2. The following is an examiner's statement of reasons for allowance: The closest prior art is US 4,889,248 to Bennett, who discloses a blending apparatus for a high speed blending operation comprising a container base 14 and a container lid 10-15, the container lid having mounted thereon blending means 16 arranged for a high speed rotation, the blending means extending through the lid and having, at one end, means

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12 for connection to a drive motor external to the container and, at the other end, a blending element 16 for blending contents of the container when the drive means is operated, the blending means comprising a shaft portion locatable through an opening in the lid and incorporating the connection means at its other end inside case 12 where it connects to the motor, and a blending element portion 16 associated with the shaft portion for rotation therewith, the container lid comprising a rim portion 22-30 defining a circumferential slot 22-30 into which the top edge of the container 14 is located when the lid and container are assembled together, wherein the rim portion is formed with successive, oppositely directed circumferential portions, a first of said portions lying in contact with or closely adjacent an inner side wall of the container when the lid and container are assembled together, and defining one side of the slot, and where the slot is defined by an outer portion arranged to extend around a top outer edge of the container and an inner portion arranged to extend into the container, a central portion in the middle of which is the opening for the blending means, and where the region in which the blending element operates has curved surfaces (figures 1-4). Bennett does not disclose that the central portion be part-spherical, that the outer edge of the part spherical central portion be turned through approximately 180 degrees to form the first circumferential portion, or that the upper end of the central portion should lie substantially level with the upper end of the container in use; nor are these modifications considered obvious over Bennett, alone or in combination with other prior art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Janca whose telephone number is (571) 270-5550. The examiner can normally be reached on M-Th 8-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Walter Griffin can be reached on (571) 272-1447. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AJJ

/DAVID L. SORKIN/  
Primary Examiner, Art Unit 1774